

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400



PATENT APPLICATION

ATTORNEY DOCKET NO. 100110746-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Sangroniz, James M.

Confirmation No.: 6668

Application No.: 10/613,059

Examiner: Rose, Helene Roberta

Filing Date: 07/02/2003

Group Art Unit: 2163

Title: Workflow Management Devices and Systems, and Workflow Assignment and Management Methods

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 10/03/06.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$520.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$460

☐ 3rd Month
\$1050

☐ 4th Month
\$1640

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 520. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

☒ A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit: 11/22/06

OR

☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.

Date of facsimile:

Typed Name: JoAnn Sismilich

Signature: JoAnn Sismilich

Respectfully submitted,

Sangroniz, James M.

By: Robert C. Sismilich

Robert C. Sismilich

Attorney/Agent for Applicant(s)

Reg No.: 41314

Date: 11/22/06

Telephone: (858) 547-9803



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/613,059)
Conf. No.	: 6668)
Appellant	: Sangroniz, James M.)
Filed	: 07/02/2003)
Title	: Workflow Management Devices and Systems, and Workflow Assignment and Management Methods)
TC / Art Unit	: 2163)
Examiner	: Rose, Helene Roberta)
Docket No.	: 100110746-1)
Customer No.	: 022879)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANT'S APPEAL BRIEF

Sir:

Appellant is appealing from the Final Rejection of claims 1-9, 15-26, and 30-33 in an Office Action dated 07/05/2006 and maintained in an Advisory Action dated 09/05/2006.

I. REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to the real party in interest which will directly affect or be directly affected by, or have a bearing on, the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-9, 15-26, and 30-33 are pending. All of claims 1-9, 15-26, and 30-33 stand finally rejected. Claims 10-14 and 27-29 have been previously canceled. The Appellants appeal the final rejection of claims 1-9, 15-26, and 30-33.

IV. STATUS OF AMENDMENTS

On 08/19/2006 a response after final rejection was filed that requested reconsideration. Claims 10-14 were canceled therewith, and no other amendment was made to the claims. In an Advisory Action of 09/05/2006, the Examiner indicated that the request for reconsideration filed on 08/19/2006 had been considered and the final rejection maintained as to all pending claims.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The claimed subject matter relates to workflow management. Workflow can be basically clerical in nature, with one processor (a device or even a person) that performs the work being unconcerned with where the work came from, or where the work goes to after performing the particular part of the activity for which it is responsible. In an automated workflow system, the processing of the workflow can be performed by workflow processing devices. In some prior workflow systems, the user disadvantageously needed to specify not

only the desired outcome of the workflow, but also how and in what order the various workflow processing devices should process the work to achieve the desired product (para. [0002]-[0003]). In other prior workflow systems the user specified only the desired workflow outcome, but the various workflow processing devices themselves were required to contain the intelligence and system knowledge to help determine the workflow. This could undesirably add to the cost and complexity of such workflow processing devices.

In various embodiments, a workflow management (or assignment) system 100 (Fig. 1) includes a workflow management device (computer server 104 of Fig. 1, or the combination of computer server 104 and workflow controller 106 of Fig. 1) (para. [0018]). The workflow management device may include a communications interface 202 (Fig. 2) that is configured to receive a user request to produce a user-desired product (para. [0026]). The user-desired product may include one or more user-desired product properties such as, for example, being a document printed in black-and-white or color, on a particular type of paper, and finished by having 2 or 3 holes punches therethrough (para. [0017]). The communications interface 202 is further configured to communicate with one or more workflow processing devices 110,112,114 (Fig. 1) that are located external of the workflow management device (para. [0019]). The workflow processing devices 110,112,114 may perform different functions that, when coordinated with the proper workflow, can produce the user-desired product. For example, workflow processing device 110 may be a pre-processor that is configured to convert a file format or perform raster input processing of a file to be printed. After performing the pre-processing tasks by device 110, the resulting output from the device 110 may be routed to, for example, hard imaging device 112 for producing hardcopy printed output. After performing printing tasks by the device 112, the resulting output from the device 112 may be routed to device 114 for further finishing in accordance with the transformed job request by, for example, collating the printed product, or making a two- or three-hole punch in the printed product (para. [0022]).

The workflow management device also includes a storage device 206 (Fig. 2) that is configured to store predefined rules data for processing the user request (para. [0033]). In

some embodiments, the predefined rules data may be stored in one or more stylesheets 208 (Fig. 2) that may be stored in the storage device 206 (para. [0033]).

In some embodiments, a stylesheet 208 stores methods that correspond to rule definitions, and which can be executed by processing circuitry (para. [0034]). In some embodiments, the stylesheet 208 may be in Extensible Stylesheet Language (XSL) form (para. [0028]). In some embodiments, each of the stylesheets 208 corresponds to a different subset of the product properties (para. [0035]). In some embodiments, the transformed user request generated by a first one of the stylesheets has a different workflow than the transformed user request generated by a second one of the stylesheets (para. [0035]).

The workflow management device further includes processing circuitry 204 (Figs. 2-3) that is configured to process the user request using the predefined rules data to produce a transformed user request. The predefined rules and the user request can be loaded into the processing circuitry to process the request. The transformed user request is advantageously performed without communicating with the one or more workflow processing devices 110,112,114. The transformed user request includes information for automatically organizing workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to achieve the user-desired product (para. [0027]).

Another embodiment of the workflow management (or assignment) system 100 is claimed in means plus function form. The structure corresponding to the receiving means is the communications interface 202 of computer server 104, illustrated in Fig. 2, and which is described in the specification at paragraph [0026]. The structure corresponding to the providing means is the storage device 206 of computer server 104, illustrated in Fig. 2, and which is described in the specification at paragraph [0033]. The structure corresponding to the processing means is the processing circuitry 204 of the computer server 104, illustrated in Fig. 2, and which is described in the specification at paragraphs [0027], [0030], and [0032]. The structure corresponding to the loading means is the processing circuitry 204 of the computer server 104, illustrated in Fig. 2, and which is described in the specification at paragraphs [0027], [0030], and [0032]. The structure corresponding to the executing means is the processing circuitry 204 of the computer server 104, illustrated in Fig. 2, and which is

described in the specification at paragraphs [0027], [0030], and [0032].

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-9, 15-26, and 30-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0184240 by Volkoff et al. (“Volkoff”) in view of U.S. Patent No. 6,507,857 to Yalcinalp (“Yalcinalp”).

Claims 1-9, 15-26, and 30-31 stand or fall together.

Claim 32 stands or falls alone.

Claim 33 stands or falls alone.

VII. ARGUMENT

A. Claims 1-9, 15-26, and 30-31 were improperly rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0184240 by Volkoff et al. (“Volkoff”) in view of U.S. Patent No. 6,507,857 by Yalcinalp (“Yalcinalp”).

As to a rejection under §103(a), the U.S. Patent and Trademark Office (“USPTO”) has the burden under §103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make

the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

Appellant contends that claims 1-9, 15-26, and 30-31 were improperly rejected because (1) the applied references, alone or in combination, do not teach or suggest all of Appellant's claim limitations; (2) there is no suggestion or motivation to modify or combine reference teachings; and (3) there is no reasonable expectation of success in combining the references. Such could be possible only in hindsight and in light of Appellant's teachings.

1. The cited references, alone or in combination, do not teach or suggest all the limitations of Appellant's independent claims 1, 15, 20, 30, and 31 in that the feature of transforming a user request having one or more user-desired product properties, without communicating with workflow processing devices, into a transformed user request that includes additional information to organize the workflow among the workflow processing devices so as to produce the desired product is absent from the references.

Each of the various independent claims recites the novel and non-obvious feature of the present invention in which a user request having one or more user-desired product properties is transformed, without communicating with workflow processing devices, into a transformed user request that includes additional information to organize the workflow among the workflow processing devices so as to produce the desired product. The Volkoff and Yalcinalp references, alone or in combination, do not teach or suggest at least this limitation of the independent claims.

Independent claim 1 is illustrative. Claim 1 recites:

"1. A workflow management device comprising:
a communications interface configured to receive a user request comprising one or more user-desired product properties associated with a user-desired product, the interface further configured to communicate with one or more workflow processing devices located external of the workflow management device;
a storage device configured to store predefined rules data for processing the user request; and

processing circuitry configured to process the user request using the predefined rules data to produce a transformed user request without communicating with the one or more workflow processing devices, the transformed user request including information for automatically organizing workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to achieve the user-desired product.” (emphasis added)

The Volkoff reference discloses “a job ticket service that allows access and modification of a job ticket by multiple users on a network” (para. [0005]). The job ticket is created by a user at a terminal (para. [0003]), and may include a data file and a content file (para. [0023]). Workflow processors 80 (Figs. 3,4) can access the job ticket, including branches thereof (para. [0039]). “Some job tickets 61 may be accessed by multiple processors 80, in ... serial ... fashion. ... [A] first processor may acquire the job ticket 61 (or a portion or branch thereof), and perform a process specified in the work flow, which may modify the branch. Such modification may be to indicate a branch as complete, use up input resources, or create new output resources, for example” (para. [0040]; emphasis added).

Significantly, it can be seen that the transformed user request of the Volkoff reference (i.e. the job ticket as ultimately modified) is produced in conjunction with communicating with the one or more workflow processing devices, not without communicating with the one or more workflow processing devices as recited in claim 1. As described above, the workflow processing devices of the Volkoff reference participate in the transformation of the user request by modifying the job ticket. For example, with regard to the operation 100 of the job ticket service 60, the Volkoff reference further teaches:

“With completion of each node in the node tree 10, the processor 80 may provide an input to the job ticket service 60 to allow modification of the job ticket 61, block 135. If the processor 80 completes all required processes, the processor 80 may provide a final status report to the job ticket service 60, block 140, along with any final modifications to the job ticket 61” (para. [0117]; Fig. 9; emphasis added).

The Examiner admits that “Volkoff does not disclose wherein the transformation is done WITHOUT COMMUNICATING WITH ONE OR MORE WORKFLOW PROCESSING DEVICES” (Advisory Action, p.2; emphasis in original). However, the Examiner asserts that the Yalcinalp reference teaches or suggests this limitation. However, Appellant contends that the Examiner is mistaken.

a) The Yalcinalp reference teaches software components, external to the XSLT processor of an application server, which can be defined in a style sheet and executed by the XSLT processor.

The Yalcinalp reference relates to the processing of style sheets, such as XSL style sheets. “XSL is a declarative style sheet language specified in Extensible Markup Language (XML) which can also be used to transform XSL documents. The XSL is actually more analogous to a programming language than to a mechanism designed purely to analyze tags and display attributes. With XML, developers may provide functionality by creating their own customized tags” (col. 1, lines 37-44). “However, there are limitations to the use of style sheets. An application utilizing a style sheet to display a document often requires that the information contained in the style sheet be application dependent. In other words, the application must be aware of all the tag definitions. In addition, style sheets ... do not provide for external calls to components or libraries which may be used to aid in the modification of document information to be displayed” (col. 1, lines 58-67).

Accordingly, the teachings of the Yalcinalp reference “overcome the shortcomings of existing style sheets by providing the ability to define components in a style sheet in order to execute methods outside the application” (col. 2, lines 16-20; emphasis added).

To this end, the Yalcinalp reference teaches “a method for executing an external component in a style sheet, comprising the steps of defining an external component to a style sheet processor, providing a definition of the external component in the style sheet, and processing the external component by the style sheet processor” (col. 2, lines 50-55; emphasis added). The XSLT processor 205, style sheets 220, XML document 230, and external components 225 are all illustrated in Fig. 2 of the Yalcinalp reference. In operation, a

“method of creating a transform document using a style sheet comprises the steps of receiving a request for an input document, retrieving the style sheet, having tags, associated with the input document, wherein one of the tags represents an external component, processing the tags, including one tag representing an external component, in the style sheet to generate a transform document, and processing a method associated with the external component. An additional step of placing the results of processing the method associated with

the external component in the transform document may be performed. ... The step of processing the method associated with the external component may include loading the external component in an XSLT processor and initiating the execution of the method associated with the external component." (col. 2, lines 25-42; emphasis added)

It is thus evident from the teachings of the Yalcinalp reference that the components 225 are software components, external to style sheets 220, which are loaded into and executed by an XSLT processor 110 (Fig. 1) or 205 (Fig. 2) which is disposed in application server 104 (Fig. 1) and executed by CPU 116 of application server 104 in order to perform the transformations as defined in the style sheets 220 on the document 230 to generate the transform document.

It is also evident that the transformed user request is produced as a result of the XSLT processor communicating with the external components 225.

b) If external component 225 of the Yalcinalp reference is equivalent to a workflow processing device, then the Yalcinalp reference teaches that a user request is transformed with communicating with a workflow processing device, rather than without communicating with the workflow processing device as recited in the independent claims.

In the Advisory Action, the Examiner contends that "[i]n regards to applicants arguments on page 11, wherein Yalcinalp reference does not disclose any such workflow processing HARDWARE DEVICES. Examiner states the Yalcinalp does disclose workflow processing hardware devices, i.e. external devices which is equivalent to the component module, diagram 225, which contains external components that perform different task (column 5, lines 51-55 and column 6, lines 62-66)" (Advisory Action, p.2, para. 7; emphasis added).

As discussed heretofore, the XSLT processor 110,205 transforms the document 230 by executing the method of the external components 225. Given the Examiner's equating of workflow processing devices to the components 225, the Examiner admits that the user request is transformed with communicating with the workflow processing device. This is

exactly opposite to the limitation in independent claims 1, 15, 20, 30, and 31 which recites that the user request is transformed without communicating with the workflow processing device.

Therefore, for these reasons, the applied references do not teach or suggest all of Appellant's claim limitations. Each of claims 2-9, 16-19, and 21-26 depend from one of independent claims 1, 15, 20, 30, and 31, and is allowable in dependent form for the same reasons.

c) If the client computer that communicates with application server 104 of the Yalcinalp reference is considered a workflow processing device, then the Yalcinalp reference teaches that a user request is transformed with communicating with a workflow processing device, rather than without communicating with the workflow processing device as recited in the independent claims.

In the Advisory Action, the Examiner contends that “[i]n regards to applicants arguments on page 10, which states Yalcinalp reference does not disclose any workflow devices, nor any other such interconnected devices with the application server interoperates to achieve a user desired product (see Figure 1, diagram 104, wherein the application receives client request and provide XML documents to those clients which is equivalent to achieving a user desired product, wherein a response is given to a request, wherein an workflow devices is equivalent to a plurality of task being performed (REFER to Figure 2, wherein the XSLT processor interfaces with multiple modules in order to process an style sheet, wherein modules are defined to be individual units of information or instructions” (Advisory Action, p.2, para. 6; emphasis added).

With regard to the interactions between a client PC or PDA (not shown) and application server 104, in which “[a]pplication 104 receives client requests and provides XML documents to those clients” (col. 4, lines 57-58), the Yalcinalp reference teaches that “XML documents may be served to different clients with varied interests and capabilities. For

example, a PC running NETSCAPE may require a document formatted differently than a PDA would. XSL is the style language used by XML to allow different clients to receive different XML documents” (col. 1, lines 4-57).

Furthermore, the Yalcinalp reference teaches that “[t]he user 200 may request a document and may provide to the XSLT processor 205 a client type. For example, the user client type might be a PDA or a browser on a PC. The XSLT processor will process this request, and when complete, will send to the user a transform document” (col. 5, lines 13-18).

Therefore, the Yalcinalp reference teaches that the user request is transformed by the application server 104 with communicating with a workflow processing device. The user request itself is received from the client PC or PDA. Furthermore, the application server 104 must obtain from the client PC or PDA a client type parameter that is needed to perform the transformation. Such is exactly opposite to the limitation in independent claims 1, 15, 20, 30, and 31 which recites that the user request is transformed without communicating with the workflow processing device.

Therefore, for these reasons, the applied references do not teach or suggest all of Appellant’s claim limitations. Each of claims 2-9, 16-19, and 21-26 depend from one of independent claims 1, 15, 20, 30, and 31, and is allowable in dependent form for the same reasons.

d) The plurality of tasks performed by the Yalcinalp reference are not equivalent to workflow processing devices, and thus the reference fails to teach that a user request is transformed without communicating with the workflow processing device as recited in the independent claims because the reference discloses no workflow processing devices with which communication is prohibited.

MPEP 2111 requires that “pending claims must be ‘given their broadest reasonable interpretation consistent with the specification.’” In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).

In the section of the Advisory Action previously discussed, the Examiner also contends that “an workflow devices is equivalent to a plurality of task being performed” (Advisory Action, p.2, para. 6; emphasis added).

Workflow processing devices are just that – devices, not tasks. Fig. 1 of the Appellant’s application discloses a plurality of workflow processing devices 110,112,114 which are coupled to computer server 104. Workflow processing devices 110,112,114 are different hardware devices, which may be located physically separate from each other and from the computer server 104 and workflow controller 106 (para. [0013]; emphasis added). In operation, “[i]ndividual ones of user computers 102 may be configured by a user to send a request to the computer server 104 for processing, and the processed request may be executed by the controller 106 by appropriately routing the request made by the user to processing devices 110, 112, or 114, the routing of request based on user-desired product properties (e.g., properties desired by the user in a product).” (para. [0014]).

There is no teaching in the Yalcinalp reference that the tasks being performed are hardware devices. The interpretation urged by the Examiner is overly broad and inconsistent with the definition of workflow processing devices in Appellant’s specification, and thus is prohibited. Therefore, Appellant contends that the Yalcinalp reference does not disclose any workflow processing devices at all.

Because the Yalcinalp reference does not disclose any workflow processing devices, it follows that the reference cannot teach that a user request is transformed without communicating with the workflow processing device. It is not possible to use the total absence of the disclosure of any such devices to support a contention that the reference teaches that the user request is processed without communicating with one or more workflow processing devices that don’t exist. If a reference does not disclose the existence of any such devices, then of course it will not disclose that there is any communication with the devices that don’t exist. Such circular logic would be insufficient to support a proper rejection. Appellant believes that for a rejection to be proper, the Yalcinalp reference would first have had to disclose the existence of a workflow processing device, and then disclose that the user request is processed using the predefined rules data to produce a transformed user request

without communicating with the one or more workflow processing devices. Since the Yalcinalp reference does not disclose any workflow processing devices, such is impossible.

In addition, the Office fails to consider all the words of limitation. The limitation further recites that the transformed user request includes information for automatically organizing workflow among the one or more workflow processing devices. Because no workflow processing devices are disclosed by the Yalcinalp reference, it follows that any transformed user request produced by the application server 104 of the Yalcinalp reference cannot include information for automatically organizing workflow among the one or more workflow processing devices.

Therefore, for the reasons discussed herein, the applied references do not teach or suggest all of Appellant's claim limitations. Each of claims 2-9, 16-19, and 21-26 depend from one of independent claims 1, 15, 20, 30, and 31, and is allowable in dependent form for the same reasons.

2. There is no suggestion or motivation to modify or combine reference teachings in that that stated motivation is merely a conclusory statement of generalized advantages that may be offered by the Yalcinalp reference, and that the Volkoff reference teaches away from the combination.

Furthermore, the Office has not established a *prima facie* case of obviousness at least because there is no suggestion or motivation to modify the reference or to combine reference teachings. With regard to motivation, the Office stated that a "skilled artisan would have been motivated to combine as suggested by Yalcinalp by providing the ability to define components in a particular style sheet in order to execute different methods outside a particular application" (Final Office Action, p.4). Appellant respectfully believes that the stated motivation is merely a conclusory statement of generalized advantages that may be offered by the Yalcinalp reference. Appellant believes that this is too vague and not specific enough to ascertain a motivation in one or the other for combining. Consequently, using these overly broad statements to create Appellant's claim limitation impermissibly uses the Appellant's disclosure as a blueprint or in hindsight for the rejection.

In addition, the Volkoff reference executes different methods outside a particular application in communicating with external workflow processors 80 (Figs. 3,4) to produce a transformed user request (i.e. a modified branch of a job ticket 61) (para. [0039]-[0040]). Therefore, the combined references teach away from the limitation recited in claim 1 wherein the transformed user request is produced without communicating with the workflow processing devices.

Accordingly, there is no suggestion or motivation to modify the reference or to combine reference teachings.

Appellant respectfully traverses the Office's assertion that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features recited in the claims of Appellant's invention. Such could be possible only in hindsight and in light of Appellant's teachings. Therefore, the rejection of claims 1-9, 15-26, and 30-31 is improper at least for these reasons and should be withdrawn.

B. Dependent claim 32 was improperly rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0184240 by Volkoff et al. ("Volkoff") in view of U.S. Patent No. 6,507,857 by Yalcinalp ("Yalcinalp").

Claim 32 depends from claim 9, and then from independent base claim 1. If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending from that claim is also nonobvious. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Appellant has heretofore presented arguments that establish the nonobviousness of claim 1. Accordingly, claim 32 is also nonobvious for at least the same reasons.

In addition, dependent claim 32 is further patentably distinguishable over the cited references.

1. The cited references, alone or in combination, do not teach or suggest that each stylesheet corresponds to a different subset of the product

properties.

Claim 32 recites:

“32. (Previously presented) The device of claim 9, wherein each stylesheet corresponds to a different subset of the product properties.” (emphasis added)

In rejecting claim 32, the Examiner contends that “the combination of Volkoff in view of Yalcinalp teaches wherein each stylesheet corresponds to a different subset of the product properties (Figure 2, all features, wherein the style sheet corresponds with the XSLT processor components, Yalcinalp)” (Final Office Action, p.12). Fig. 2 of the Volkoff reference “is a node tree diagram ... 10 that illustrates processes defined in a job ticket for printing a brochure”. (para. [0028]).

However, it is evident from Fig. 2 of the Yalcinalp references that stylesheets 220 are different elements than components 225. With regard to different stylesheets 220, the Yalcinalp reference teaches merely that a user requests a document having an associated style sheet (Fig. 3, step 300). There is no teaching or suggestion that each of the associated style sheets 220 corresponds to a different subset of product properties of the user request. Such an interpretation impermissibly relies on hindsight and uses the Appellant’s disclosure as a blueprint for the rejection. Therefore, the rejection of claim 32 is improper for this additional reason as well.

C. Dependent claim 33 was improperly rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0184240 by Volkoff et al. (“Volkoff”) in view of U.S. Patent No. 6,507,857 by Yalcinalp (“Yalcinalp”).

Claim 33 depends from claim 32, and ultimately from independent base claim 1. If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending from that claim is also nonobvious. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Appellant has heretofore presented arguments that it establish the nonobviousness of claims 1 and 32. Accordingly, claim 33 is also nonobvious for at least the same reasons as have been

established for claims 1 and 32.

In addition, dependent claim 33 is further patentably distinguishable over the cited references.

1. The cited references, alone or in combination, do not teach or suggest that the transformed user request generated by a first one of the stylesheets has a different workflow than the transformed user request generated by a second one of the stylesheets.

Claim 33 recites:

“33. (Previously presented) The device of claim 32, wherein the transformed user request generated by a first one of the stylesheets has a different workflow than the transformed user request generated by a second one of the stylesheets.” (emphasis added)

In rejecting claim 33, the Examiner contends that the “document request and transformed document is generated through the components contained in the XSLT processor which includes validation, XML parser, stylesheet and external component processing and XML document builder” (Final Office Action, p.12-13).

To whatever extent such an interpretation is accurate, however, the Examiner points out nothing in the references that teaches or suggests that the transformed user request generated by a first one of the stylesheets has a different workflow than the transformed user request generated by a second one of the stylesheets. Any such interpretation impermissibly relies on hindsight and uses the Appellant’s disclosure as a blueprint for the rejection. Therefore, the rejection of claim 33 is improper for this additional reason.

VIII. CONCLUSION

Appellant contends that claims 1-9, 15-26, and 30-33 were improperly rejected because the applied references, alone or in combination, do not teach or suggest all of Appellant’s claim limitations, and there is no reasonable expectation of success in combining the references. Such a suggestion or motivation could be possible only in hindsight and in light of Appellant’s teachings.

Each of these reasons alone distinguishes Appellant's claims from the cited references and makes Appellants' claims non-obvious in light of the cited references.

Overruling of the Examiner's rejections of claims 1-9, 15-26, and 30-33 is respectfully requested.

**AUTHORIZATION TO PAY AND PETITION
FOR THE ACCEPTANCE OF ANY NECESSARY FEES**

If any charges or fees must be paid in connection with the foregoing communication (including but not limited to the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment, may be respectively paid out of, or into, the Deposit Account No. 08-2025 of Hewlett-Packard Company. If any such payment also requires Petition or Extension Request, please construe this authorization to pay as the necessary Petition or Request which is required to accompany the payment.

Respectfully submitted,



Robert C. Sismilich
Reg. No. 41,314
Attorney for Appellant(s)
Telephone: (858) 547-9803

Date: 11/22/06

Hewlett-Packard Company
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

IX. CLAIMS APPENDIX

1. A workflow management device comprising:

a communications interface configured to receive a user request comprising one or more user-desired product properties associated with a user-desired product, the interface further configured to communicate with one or more workflow processing devices located external of the workflow management device;

a storage device configured to store predefined rules data for processing the user request; and

processing circuitry configured to process the user request using the predefined rules data to produce a transformed user request without communicating with the one or more workflow processing devices, the transformed user request including information for automatically organizing workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to achieve the user-desired product.

2. The device of claim 1, wherein the transformed user request is received by a controller external to the workflow management device, the controller configured to control the workflow in accordance with the one or more user-desired product properties.

3. The device of claim 2, wherein the transformed request comprises additional information to process the user request in accordance with specifications of the user, and the additional information comprises information to route and process the workflow in accordance with the one or more user-desired product properties, and information to prioritize processing of the workflow in accordance with the one or more user-desired product properties.

4. The device of claim 1, wherein the user request is received in a job definition format (JDF).

5. The device of claim 1, wherein the interface is configured to receive the user request via the Internet.

6. The device of claim 1, wherein the predefined rules data comprises instructions written in Extensible Stylesheet Language.

7. The device of claim 1, wherein the processing circuitry is an extensible stylesheet language transformation (XSLT) processor.

8. The device of claim 1, wherein the processing circuitry applies an extensible stylesheet language (XSL) transformation to the user request to produce the transformed user request.

9. The device of claim 1, wherein the predefined rules data is stored in at least one stylesheet within the storage device, and each stylesheet comprises instructions written in an extensible stylesheet language (XSL) format.

15. A workflow management system for managing workflow in a printing system, comprising:

one or more workflow processing devices configured to process a user request, the one or more workflow processing devices communicatively coupled to a communications medium; and

a workflow management device located external of the one or more workflow processing devices comprising:

a communications interface configured to receive the user request, the interface further configured to communicate with the one or more workflow processing devices;

a storage device configured to store predefined rules data for processing the user request, the user request comprising one or more user-desired product properties; and processing circuitry configured to process the request using the predefined rules data and produce a transformed request without communicating with the one or more workflow processing devices, the transformed request comprising information for automatically organizing workflow through the system in accordance with the one or more user-desired product properties so as to produce a user-desired product.

16. The system of claim 15, further comprising:

a controller external to the workflow management device and the one or more workflow processing devices, the controller configured to receive the transformed request and route the transformed request among the one or more workflow processing devices for processing in accordance with the one or more user-desired product properties using information from the transformed request.

17. The system of claim 15, wherein the user request is received in a job definition format (JDF).

18. The system of claim 15, wherein the predefined rules data comprise instructions written in Extensible Stylesheet Language.

19. The system of claim 15, wherein the processing circuitry applies an extensible stylesheet language (XSL) transformation to the user request to produce the transformed request.

20. A workflow assignment method comprising:

receiving a user request at a server, the request having one or more user-desired product properties;

providing in the server a prestored stylesheet having predefined rules for processing the user request;

loading the predefined rules and the user request into a processing circuitry of the server, the circuitry configured to process the user request; and

without communicating with one or more workflow processing devices, executing the predefined rules on the server to create a transformed user request, the transformed user request comprising additional information to automatically organize workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to produce a user-desired product.

21. The method of claim 20, further comprising:

sending the transformed user request to a controller communicatively coupled to the server; and

the controller controlling the one or more workflow processing devices in accordance with the one or more user-desired product properties using information from the transformed user request.

22. The method of claim 20, wherein the receiving comprises receiving the user request in a job definition format (JDF).

23. The method of claim 20, wherein the providing comprises providing the stylesheet in an extensible stylesheet language (XSL) format having instructions written in Extensible Stylesheet Language.

24. The method of claim 22, wherein the receiving further comprises receiving the user request via the Internet.

25. The method of claim 20, wherein the the executing is performed by an extensible stylesheet language transformation (XSLT) processor.

26. The method of claim 20, wherein the creating the transformed user request comprises applying the predefined rules using an extensible stylesheet language (XSL) transformation to the user request, and the transformed user request comprises a definition of workflow tasks to be performed, and settings and properties for the workflow tasks, configured to produce a user-desired product in accordance with the one or more user-desired product properties.

30. A workflow assignment system comprising:

means for receiving a user request, the request having one or more user-desired product properties;

means for providing a prestored stylesheet having predefined rules for processing the user request;

means for loading the predefined rules and the user request into a processing means configured to process the user request; and

means for executing the defined rules to create a transformed user request without communicating with one or more workflow processing devices, the transformed user request comprising additional information to organize workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to produce a user-desired product.

31. An article of manufacture comprising:

processor-usable media embodying programming configured to cause a processing circuitry of a workflow management device to:

receive a user request, the request having one or more user-desired product properties;

provide a prestored stylesheet having predefined rules for processing the user request;

load the predefined rules and the user request into the processing circuitry, the circuitry configured to process the user request; and

without communicating with one or more workflow processing devices, execute the predefined rules to create a transformed user request, the transformed user request comprising additional information to organize workflow among the one or more workflow processing devices in accordance with the one or more user-desired product properties so as to produce a user-desired product.

32. The device of claim 9, wherein each stylesheet corresponds to a different subset of the product properties.

33. The device of claim 32, wherein the transformed user request generated by a first one of the stylesheets has a different workflow than the transformed user request generated by a second one of the stylesheets.

X. EVIDENCE APPENDIX

None

XI. RELATED PROCEEDINGS APPENDIX

None